

MAR 8 - 2019

SENATE RESOLUTION

REQUESTING THE DIRECTOR OF HEALTH TO CONVENE A WORKING GROUP
RELATING TO PATIENTS REQUIRING AN EMERGENCY MENTAL HEALTH
EXAMINATION.

1 WHEREAS, under section 334-59, Hawaii Revised Statutes, any
2 person who exhibits behavior that is deemed by law enforcement
3 to be an imminent threat to themselves or others shall be
4 transported to a licensed psychiatric facility to receive an
5 emergency mental health examination to determine whether the
6 individual should be hospitalized; and
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8 WHEREAS, patients transported and examined under this
9 process are referred to as MH-1 patients; and
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11 WHEREAS, there are currently sixteen facilities that are
12 designated by the Department of Health to receive MH-1 patients,
13 including acute care hospitals and a federally qualified health
14 center; and
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16 WHEREAS, some facilities designated by the Department of
17 Health receive an outsized number of MH-1 patients and the high
18 volume strains the ability of these facilities to provide care
19 to all residents in the State; and
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21 WHEREAS, some facilities do not feel they are equipped to
22 care for MH-1 patients because of a lack of adequate
23 infrastructure and fears about patient and staff safety; and
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25 WHEREAS, some MH-1 patients may benefit from transport to
26 alternative health care services, as not all patients require an
27 emergency psychiatric evaluation or hospital services; and
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29 WHEREAS, increased support and clearer guidance are needed
30 by law enforcement to ensure that patients are directed to the
31 most appropriate setting of care; and
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33 WHEREAS, there is a need to determine the state-wide
34 capacity for inpatient and outpatient mental health services,
35 where gaps exist in service availability, and the barriers to



1 getting individuals in crisis to the appropriate setting of
2 care; now, therefore,

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4 BE IT RESOLVED by the Senate of the Thirtieth Legislature
5 of the State of Hawaii, Regular Session of 2019, that the
6 Director of Health is requested to form a working group to
7 evaluate the issue of treating MH-1 patients experiencing a
8 mental health crisis; and

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10 BE IT FURTHER RESOLVED that the working group:

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12 (1) Develop criteria for the Director of Health to
13 designate facilities to transport, examine, and treat
14 MH-1 patients;
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16 (2) Review existing laws, law enforcement protocols, and
17 procedures to ensure MH-1 patients are appropriately
18 transported and identify areas that may need
19 clarification to ensure standardized transportation of
20 MH-1 patients in jurisdictions statewide;
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22 (3) Develop recommendations for appropriate distribution
23 of transported patients for emergency examination
24 across health care facilities in a given county;
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26 (4) Provide an assessment of current law enforcement and
27 health care facility needs and capacities for
28 evaluation and treatment of MH-1 patients, including
29 the availability of beds and services necessary for
30 treating patients experiencing a mental health crisis,
31 preventing crisis situations, and avoiding unnecessary
32 transport of patients;
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34 (5) Develop recommendations for building a coordinated
35 system of care with capacity for crisis services,
36 community services, and outpatient and inpatient
37 services to address the needs of persons with mental
38 illness and substance use disorders who are in crisis,
39 including discussions on alternative sites of
40 treatment; and
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- (6) Develop recommendations for reimbursement to support these efforts; and

BE IT FURTHER RESOLVED that the working group, at the invitation of the Director of the Department of Health, is requested to include:

- (1) The Deputy Director of Behavioral Health Administration or the Deputy Director's designee, who shall serve as chairperson of the working group;
- (2) Seven representatives from a hospital or hospital system; provided that at least two representatives shall represent a neighbor island and one shall represent a public hospital;
- (3) One representative from any federally qualified health center designated to receive MH-1 patients;
- (4) One representative from a residential mental health or substance abuse treatment facility;
- (5) One representative from the Healthcare Association of Hawaii;
- (6) Two representatives from law enforcement, one of which shall represent a neighbor island;
- (7) One representative from a mental health services provider; and
- (8) One representative from the Department of Human Services; and

BE IT FURTHER RESOLVED that the working group is requested to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2020; and

BE IT FURTHER RESOLVED that the working group be dissolved on June 30, 2020; and



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2 BE IT FURTHER RESOLVED that certified copies of this
3 Resolution be transmitted to the Director of Health, Director of
4 Human Services, and the Healthcare Association of Hawaii.
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